	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		ASSISTANCE ID NO.			DATE OF AWARD
			PRG	DOC ID	AMEND#	
			FS -	98969501	- 5	
			TYPE OF ACTION No Cost Amendment			
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center, FAX: 702-798-2423			MAILING DATE
RECIPIENT:  The Hopi Tribe P.O. Box 123 Kykotsmobi, AZ 86039 EIN: 86-0134082			PAYEE:  The Hopi Tribe P.O. Box 123 Kykotsmobi, AZ 86039			ACH#
PROJECT MANAGER  John Mason P.O. Box 123 Kykotsmobi, AZ 86039 E-Mail: jpmason60@gmail.com Phone: 928-527-4242 Ext. 114		EPA PROJECT OFFICER  Bessie Lee 75 Hawthorne Street, WTR-6 San Francisco, CA 94105 E-Mail: Lee.Bessie@epamail.epa.gov Phone: 415-972-3776		EPA GRANT SPECIALIST  Vernese Gholson Grants Management Office, MTS-7 E-Mail: Gholson.Vernese@epamail.epa.gov Phone: 415-947-4200		
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> DRINKING WATER INFRASTRUCTURE TRIBAL SET-ASIDE PROGRAM-MOENKOPI The agreement provides funding for the planning, conceptual design, and construction of the public water system for the Moenkopi Villages on the Hopi Reservation.  This amendment extends the project and budget period end dates from 11/30/2009 to 09/30/2011. No change in the EPA assistance amount.						
BUDGET PERIOD 10/01/2000 - 09/30/2011		PROJECT PERIOD 10/01/2000 - 09/30/2011		TOTAL BUDGET PERIOD COST \$1,259,000.00		TOTAL PROJECT PERIOD COST \$1,259,000.00
<b>NOTICE OF AWARD</b>  Based on your application dated 03/19/2003, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,259,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS  U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS  U.S. EPA, Region 9 Water Division 75 Hawthorne Street, WTR-1 San Francisco, CA 94105		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE Denise Zvanovec, Acting Grants Management Officer				DATE
<b>AFFIRMATION OF AWARD</b>  BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE		TYPED NAME AND TITLE Leroy Shingiotewa, Chairman				DATE





insufficient funds or other reasons, change its election and use another appropriation unless Congress is first informed of the Agency's planned change.

## 2. Appropriations as to Time:

The placing of time limits on the availability of appropriations is one of the primary means of congressional control. By imposing a time limit, Congress reserves the prerogative of periodically reviewing a given program or agency's activities.

**The life cycle of appropriations.** An appropriation has phases roughly similar to the various stages in the existence of "a human" -- conception, birth, death, and even an afterlife. The life-cycle of appropriations with fixed periods of availability consists of three sequential phases: the unexpired phase, the expired phase, and the cancelled phase. When an appropriation is made available for a fixed period of time, the general rule is that the availability relates to the authority to obligate the appropriation. It does not necessarily prohibit payments after the expiration date for obligations previously incurred, unless the payment is otherwise expressly prohibited by statute. The availability of balances of appropriations to incur, adjust, or pay obligations differs in each phase.

**NOTE:** Statutory and regulatory changes (Federal Acquisition Streamlining Act of 1994 (FASA) section 1073, and Federal Acquisition Regulation (FAR) 37.106), now permit agencies to enter into a contract, exercise an option or issue a delivery order and obligate annual ("one year") appropriations to acquire severable services that begin in one fiscal year and end in the next fiscal year. The contract, option period or delivery order cannot exceed 12 months. The EPA Office of General Counsel has opined that these provisions also apply to acquisitions funded with multi-year appropriations (such as the "two-year" appropriations provided to EPA). What this means, for example, is that EPA may obligate FY2004/2005 funding to fund twelve months severable services that begin in FY 2005 and end in FY2006. [Severable services are those which are continuing and recurring in nature (such as window washing services), while non-severable services are those that are characterized as a single undertaking (conducting a study and preparing a final report thereon). Non-severable services may be charged to the appropriation current at the time the contract was made, even though performance carries over into a subsequent fiscal year.]

**a. The Unexpired Phase.** During this phase, the appropriation may be used to incur new obligations and to liquidate (pay) properly incurred existing obligations. Balances in this phase are unexpired and uncanceled.

**b. The Expired Phase.** The expired phase begins when the authority to incur new obligations against appropriations expires. For annual appropriations this occurs at the end of the fiscal year for which the funds are appropriated. For multi-year appropriations this occurs at the end of the last fiscal year for which the funds are appropriated. During the expired phase, no new obligations can be incurred against the appropriation. Expired balances of an appropriation are available for the following:

Expired obligated balances are available to liquidate obligations properly incurred during the period when the appropriation was unexpired.

Expired unobligated balances are available only to satisfy an unrecorded or under recorded obligation properly chargeable to the appropriation of that particular year, and cannot be used to satisfy an obligation properly chargeable to current appropriations, or to any other year of the five-year period.

Unless otherwise specified by law, this phase lasts for five years after the period for which the appropriation is available for new obligations. All audit requirements, limitations on obligations, and reporting requirements applicable to an appropriation in the unexpired phase continue to apply to it in the expired phase. **NOTE:** EPA requested and received the statutory authority for this phase to last for seven years after the period for which the appropriation is available for new obligations. This request was granted to start with two-year appropriations beginning in FY 1999 (i.e. FY1999/2000 funding). Two-year appropriations enacted prior to FY 1999 continue to be cancelled 5 years after expiration.

**c. The Cancelled Phase.** At the end of the expired phase, all obligated and unobligated balances must be cancelled, and the account is closed. Cancelled balances may not be used to incur or pay







# U.S. ENVIRONMENTAL PROTECTION AGENCY

## COMPREHENSIVE ADMINISTRATIVE REVIEW Use For Processing Grants/Cooperative Agreement Amendment Actions

### I. GENERAL INFORMATION

Applicant: The Hopi Tribe Assistance No.: FS-98969501-5  
DUNS Number: \_\_\_\_\_ [If DUNS was not previously received, obtain one prior to processing this action]

- Type of Action: ☐ Incremental [Complete Sections II, III, IV]  
☐ Administrative [Complete Sections II, III, IV- Question No. 5]  
☒ No Cost Extension [Complete Sections III, IV- Question No. 5 & V]

### II. ELIGIBILITY AND PRE-AWARD CAPABILITIES REVIEW

	YES	NO	REFERENCES/NOTES	
1. Is the Applicant on the Excluded Parties List System? Website: <a href="http://www.epls.gov">http://www.epls.gov</a> Date Checked: _____	<input type="checkbox"/>	<input type="checkbox"/>	Award may not be made to entities in the EPLS. For more info: <a href="http://www.gpoaccess.gov/ecfr">www.gpoaccess.gov/ecfr</a> or 2 CFR Part 1532. If applicant is listed, contact OGD.	
NON-PROFIT APPLICANTS	YES	NO	N/A	REFERENCES/NOTES
2. Does the Grantee Compliance Assistance & Recipient Summary Database contain unresolved evaluation reports for this applicant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If YES, this amendment may not be funded until reports are closed or if findings in the reports are determined to be relevant, the recipient is on track to complete the corrective action in accordance with <u>EPA Order 5700.8, Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards and the Pre-award Guidance.</u>
3. Does the applicant have any overdue close-out actions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If YES, review the applicant's records for outstanding close-outs and determine whether the backlogged close-outs are representative of a lack of administrative capability in accordance with <u>EPA Order 5700.8, Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards and the Pre-award Guidance.</u>

### III. CHANGE REQUEST REVIEW

	YES	NO	N/A	REFERENCES/NOTES
4. Are the EPA Project Officer/Approvers/Approval Official (PO) certifications current?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the certifications are not current, the award may not be processed until the PO/Approvers/Approval Official have completed required certification courses.

### IV. OTHER REQUIREMENTS

	YES	NO	N/A	REFERENCES/NOTES
5. Has the Administrative Baseline Monitoring Review been completed and documented in the IGMS Post-Award Database and/or the Official Grant File for this grant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In accordance with EPA Order 5700.2A2, Policy on Compliance, Review and Monitoring, Grant Specialists are required to perform and document baseline monitoring on every award on an ongoing basis, throughout the life of the agreement. Please refer to the Order for details of this requirement:  <u>EPA Order 5700.2A2</u>
6. Does this action require the signature of the Senior Resource Official? If YES, signature must be obtained prior to award	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SRO concurrence is required when the total project costs are expected to be over \$5 million for continuing environmental programs and over \$1 million for project grants.
7. Does this award require White House notification?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required action for awards which exceed \$1 million in Federal funding.



Section IV. "Other Requirements" Continued...			YES	NO	N/A	REFERENCES/NOTES
8. If this amendment includes mixed appropriations or different appropriations from prior awards, has the PO addressed the Multiple Appropriations Order?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If NO, advise the PO to provide a change request comment to provide additional information addressing the <u>Multiple Appropriations Order</u> .
V. BUDGET & PROJECT PERIOD EXTENSION			YES	NO	N/A	REFERENCES/NOTES
9. Is the applicant a Part 30 recipient?			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If NO, approval is required by the EPA Award Official.
Did the recipient notify the Award Official in writing with the supporting reasons and revised expiration date at least 10 days before the Budget and Project Period expiration date specified in the award document?			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The time extension may not be for the sole purpose of expending any remaining balance of Federal funds. Examples of justifications include: adverse weather, resource constraints, personnel changes, procurement issues, etc.  Recipient may request a one time B&P extension for up to 12 months without prior approval.
10. Is the applicant a Part 31 recipient?			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The time extension may not be for the sole purpose of expending any remaining balance of Federal funds. Examples of justifications include: adverse weather, resource constraints, personnel changes, procurement issues, etc.
11. Is the proposed timeframe for the project within the Statutory/Regulatory/Policy time constraint requirements?			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Check the Statutory/Regulatory/Competitive Announcement/CFDA limitations.
12. Is the proposed budget period within the time limit constraints imposed by the Office of Chief Financial Officer (OCFO) Policy 91-11 and GPI 08-02?			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Budget and Project period timeframes may not exceed limitations imposed by OCFO 91-11, Budget & Financial Accounting Policy & Procedures for Implementation of Revised M Accounts Legislation & GPI 08-02:  <u>OCFO 91-11</u> (M Accounts) & <u>GPI 08-02</u> (7yrs. policy)
13. Is the time extension approved by the EPA Project Officer? <i>approved on 11/24/09.</i>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If NO, enter the date recipient was notified: _____
VI. ADDITIONAL FOLLOW-UP ACTIONS NEEDED						
Issues/Notes/Date Resolved: <i>• Recipients request for the no-cost extension. Received 11/25/09</i> <i>• PO justification for the amendment to extend the grant beyond 7-years etc. Received 12/1/09. GIS created change request for PO 11/24/09.</i>						
APPROVAL SECTION						
This Amended Application for Federal Assistance has been reviewed for administrative compliance with statutory, regulatory, policy and delegated authorities. Signature below indicates, in the reviewers opinion, the application complies with the administrative requirements for award of assistance.						
<i>Vernere Shafson</i> Grant Specialist			<i>12/2/09</i> Date			
INTERNAL CONTROL REVIEW (Optional)						
A Quality Control Review was made of the application review to ensure it complies with the statutory, regulatory delegated and policy requirements for award. Signature below indicates the reviewer supports the funding decision for this Application for Federal Assistance.						
<i>Reue Chom</i> Reviewer			<i>12/2/2009</i> Date			
<i>• emailed Anna Woods, LTR, 12/2/09 to check on if STAG funds expire into "m" acct.</i> <i>• GS should address T/Cs on amendment</i> <i>(next amend will be OK or re sentence)</i>						



Awards  
Working

## Comment - Bessie Lee

Re: -> 

### Comment

Overview: Copy of No-Cost Extension Letter from the Hopi Tribe dated November 24, 2009

Detail: Attached is a November 24, 2009 letter from the Hopi Tribe requesting that the drinking water infrastructure grant for the Moenkopi project (Grant No. FS-98969501) be extended to September 20, 2011.

Attachment:

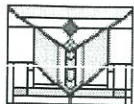


No-cost extension request letter - 11-09.pdf

### Origination Information







Re: ACTION: Awaiting the Hopi Tribe written request for no-cost extension  
LS-98969501....

Bessie Lee to: Vernese Gholson

11/25/2009 02:41 PM

The letter has been attached to Comment of the Change Order...

~~~~~  
Bessie Lee  
~~~~~

U.S. Environmental Protection Agency, Region 9  
Drinking Water Office (WTR-6)  
75 Hawthorne Street  
San Francisco, California 94105-3901  
Phone: (415) 972-3776  
Fax: (415) 947-3549  
E-mail: lee.bessie@epa.gov

Vernese Gholson

Hi Bessie. Here's a copy of the change request....

11/24/2009 02:08:48 PM

From: Vernese Gholson/R9/USEPA/US  
To: Bessie Lee/R9/USEPA/US@EPA  
Date: 11/24/2009 02:08 PM  
Subject: ACTION: Awaiting the Hopi Tribe written request for no-cost extension LS-98969501....

Hi Bessie.

Here's a copy of the change request. Please let me know when you receive Hopi's written (email, letter, etc.,) request? Reminder, I will be out of the office until Monday, November 30.

Have a great day!

----- Forwarded by Vernese Gholson/R9/USEPA/US on 11/24/2009 01:47 PM -----

#### Document Readers



## Award Change Request

Re: Tribal Set Aside- Hopi Tribe ->

#### Document Status

Document Phase: Grant Specialist  
Current Editor: Vernese Gholson  
Delegate: Maureen Kyllonen

Last Modified: 11/24/2009

#### Change Information

EPA Region: EPA R9

Grant Number: 98969501-4

Details: To extend the existing project and budget end date to 09/30/2011.

This is a no-cost extension to the existing grant. There is no change in the EPA-approved funding amount of \$1,259,000. All conditions of the previous award remain in full force and effect.

The remaining tasks of the drinking water improvement project for the Villages of Moenkopi include the construction of the reverse osmosis treatment facility and new water distribution main, the start-up of the treatment facility, and the final tie-ins of the new water main to the existing public water system at Moenkopi. The construction activities are going out to bid in December 2009/January 2010. The construction contract is expected to be awarded by the Hopi Tribe in January/February 2010. The actual construction activities are expected to begin in February/March 2010. Construction activities are expected to be completed by the end of calendar year 2010. Start-up activities for the treatment facility are expected to take approximately 6 months. Thus, there is a need to extend the project and

budget end date of the grant to September 30, 2011. PO awaiting grantee written request for the no-cost extension.

Requestor: Vernese Gholson

Title: Grants Specialist

Phone: 415-947-4200

Request Date: 11/24/2009

#### Project Dates

Project Period Start: 10/01/2000

Project Period End: 09/30/2011

Budget Period Start: 10/01/2000

Budget Period End: 09/30/2011

High Risk /  
Special Payment:

#### Change Request Attachments

##### Review

EPA Project Officer: Bessie Lee

Submitted:

Due Date:

Response	EPA Project Officer	Date

#### Origination Information



## GRANTS TRANSFER FORM FOR GS

Grant ID Number FS-98969501-4  
 Recipient Hopi Tribe  
 Program Infrastructure - Moenkopi  
 From E. Stahl To V. GHOLSON  
 Date 12/7/07 Change GS Initials in IGMS 1/3/08  
 Grant Start Date 10/1/00 Grant End Date 11/30/09  
 Date Baseline Performed 2/12/07 + on-going  
 Other Comments/Actions:

- Project issues - see correspondence in grant file
- Should not extend grant
- have MBE/WBE & Interim FSR.
- telephone code =(928) not (520) to Tribe

Note: No-cost extension granted to extend grant to 9/30/11.  
 Supporting documentation from FO and OED Deviation ltr dated  
 July 21, 2008





FS - 98969501 - 4 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,259,000	\$	\$ 1,259,000
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,259,000	\$ 0	\$ 1,259,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.468 - Safe Drinking Water State Revolving Fund	Safe Drinking Water Act Section 1452	40 CFR PART 31

[illegible]





## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$8,000
4. Equipment	\$0
5. Supplies	\$6,120
6. Contractual	\$1,229,880
7. Construction	\$0
8. Other	\$15,000
9. Total Direct Charges	\$1,259,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$1,259,000
12. Total Approved Assistance Amount	\$1,259,000
13. Program Income	\$0

-- END OF DOCUMENT --



	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	ASSISTANCE ID NO.			DATE OF AWARD <b>NOV 21 2005</b>
		PRG	DOC ID	AMEND#	
		FS - 98969501 - 4			MAILING DATE <b>NOV 21 2005</b>
		TYPE OF ACTION No Cost Amendment			
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center, FAX: 702-798-2423			ACH#
RECIPIENT:		PAYEE:			
The Hopi Tribe P.O. Box 123 Kykotsmovi, AZ 86039 EIN: 86-0134082		The Hopi Tribe P.O. Box 123 Kykotsmovi, AZ 86039			
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Nat A. Nutongla P.O. Box 123 Kykotsmovi, AZ 86039 E-Mail: NNutongla@hopi.nsn.us Phone: (520) 734-3711		Bessie Lee 75 Hawthorne Street, WTR-6 San Francisco, CA 94105 E-Mail: Lee.Bessie@epamail.epa.gov Phone: 415-972-3776		Elizabeth Stahl Grants Management Office, PMD-7 E-Mail: Stahl.Elizabeth@epamail.epa.gov Phone: 415-972-3662	
PROJECT TITLE AND EXPLANATION OF CHANGES DRINKING WATER INFRASTRUCTURE TRIBAL SET-ASIDE PROGRAM-MOENKOPI					
This agreement is a no-cost time extension of the budget and project period ending dates from November 30, 2005 to November 30, 2009. There is no change in the approved EPA funding amount of \$1,259,000. All conditions of the previous award remain in full force and effect.					
BUDGET PERIOD 10/01/2000 - 11/30/2009		PROJECT PERIOD 10/01/2000 - 11/30/2009		TOTAL PROJECT PERIOD COST \$1,259,000.00	
				TOTAL BUDGET PERIOD COST \$1,259,000.00	
<p><b>NOTE:</b> The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.</p>					
<b>OFFER AND ACCEPTANCE</b>					
<p>The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>The Hopi Tribe</u> for <u>100.00</u> % of all approved costs incurred up to and not exceeding <u>\$1,259,000</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>03/19/2003</u> included herein by reference.</p>					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
U.S. EPA, Region 9 Grants Management Office, PMD-7 75 Hawthorne Street San Francisco, CA 94105			U.S. EPA, Region 9 Water Division 75 Hawthorne Street, WTR-1 San Francisco, CA 94105		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
SIGNATURE OF AWARD OFFICIAL <i>Elizabeth Stahl (for)</i>		TYPED NAME AND TITLE Carolyn Truong, Grants Management Officer		DATE <b>NOV 21 2005</b>	
<p>This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.</p>					
<b>BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION</b>					
SIGNATURE		TYPED NAME AND TITLE Wayne Taylor Jr., Chairman		DATE	





## GRANTS TRANSFER FORM FOR GS

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 Recipient Hopi Tribe  
 Program Infrastructure - Moenkopi  
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 Date 12/7/07 Change GS Initials in IGMS 1/3/08  
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